

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Jose L. Linares
 : Crim. No. 09-414 (JLL)
 v. :
 : CONTINUANCE ORDER
 GENTIAN NACI :

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by David E. Malagold, Assistant U.S. Attorney), and defendant Gejsi Siko (by John Berg, Esq. and Stacey Biancamano, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware he has the right to have the matter brought to trial within 70 days of the date of the indictment pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has requested and consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- i. Plea negotiations regarding a possible disposition are currently in progress, and both the United States and the defendant desire additional time to meet and confer regarding a disposition, which would render trial of this matter unnecessary and save judicial resources;

- ii. Co-defendant Gentian Naci has requested and received a similar continuance;
- iii. Defendant has consented to and requested the aforementioned continuance;
- iv. Counsel for the defendant requests additional time to investigate and prepare the case;
- v. Pursuant to Title 18 of the United States Code, Section 3161(h) (7) (A), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial;
- vi. Pursuant to Title 18 of the United States Code, Section 3161(h) (7) (B) (i), failure to grant this continuance would result in a miscarriage of justice; and
- vii. Pursuant to Title 18 of the United States Code, Section 3161(h) (7) (B) (iv), failure to grant this continuance would unreasonably deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

WHEREFORE, on this 29th day of November, 2010.

IT IS ORDERED that trial in this matter is continued from November 15, 2010 to January 17, 2011.

IT IS FURTHER ORDERED that the period from November 15, 2010

through January 17, 2001, inclusive, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Sections 3161(h)(6) and 3161(h)(7);

Nothing in this order shall preclude a finding that additional periods of time are excludable pursuant to the Speedy Trial Act of 1974.

Motions must be filed by Dec 6, 2010.

Responses due Dec. 20, 2010

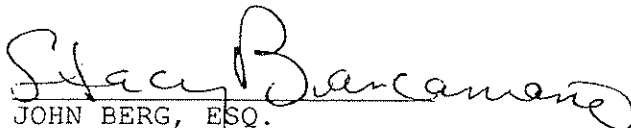
Replies due Jan. 3, 2011

A hearing shall be held on Jan. 17, 2011



HON. JOSE L. LINARES
United States District Judge

Consented to by:



JOHN BERG, ESQ.
STACEY BIANCAMANO, ESQ.
Counsel for Defendant Gejsi Siko